

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

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| Applicant's or agent's file reference H1641-01 | FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416) | |
| International application No. PCT/JP2003/000508 | International filing date (day/month/year) 22 January 2003 (22.01.2003) | Priority date (day/month/year) 23 January 2002 (23.01.2002) |
| International Patent Classification (IPC) or national classification and IPC G02B 5/30, G02F 1 /13363, 1 /1335 | | |
| Applicant NITTO DENKO CORPORATION | | |

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 4 sheets, including this cover sheet.
- ☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of _____ sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

| | |
|---|--|
| Date of submission of the demand 16 June 2003 (16.06.2003) | Date of completion of this report 16 February 2004 (16.02.2004) |
| Name and mailing address of the IPEA/JP | Authorized officer |
| Facsimile No. | Telephone No. |

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/JP2003/000508

I. Basis of the report

1. With regard to the elements of the international application:*

- ☒ the international application as originally filed
- ☐ the description:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the claims:
pages _____, as originally filed
pages _____, as amended (together with any statement under Article 19
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the drawings:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/JP03/00508

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**1. Statement**

| | | | |
|-------------------------------|--------|-------------|-----|
| Novelty (N) | Claims | 16-17 | YES |
| | Claims | 1-15, 18-21 | NO |
| Inventive step (IS) | Claims | | YES |
| | Claims | 1-21 | NO |
| Industrial applicability (IA) | Claims | 1-21 | YES |
| | Claims | | NO |

2. Citations and explanations

Document 1: EP, 644439, A1 (NIPPON PETROCHEMICALS CO., LTD.), 22 March 1995 (22.03.95), full text, all drawings & WO, 94/18583, A1 & JP, 6-242316, A & JP, 6-242317, A & JP, 6-242434, A & US, 6051289, A & DE, 69429897 & KR, 294327, B

Document 2: JP, 7-120620, A (NIPPON PETROCHEMICALS CO., LTD.), 12 May 1995 (12.05.95), full text (Family: none)

Document 3: JP, 7-120748, A (NIPPON PETROCHEMICALS CO., LTD.), 12 May 1995 (12.05.95), full text (Family: none)

Document 4: JP, 2001-350021, A (SUMITOMO CHEMICAL CO., LTD.), 21 December 2001 (21.12.01), full text, all drawings (Family: none)

Document 5: JP, 2001-305345, A (SEKISUI CHEMICAL CO., LTD.), 31 October 2001 (31.10.01), full text (Family: none)

Claim 1

Documents 1 through 4 describe an optical compensation plate or a member essentially equivalent thereto that includes an optical compensation layer or a layer essentially equivalent thereto.

Also, the point about providing a setting adhesive layer on at least one surface of the aforesaid optical compensation layer or a layer essentially equivalent thereto is also described, and the aforesaid setting adhesive layer is essentially equivalent to the crack prevention layer of claim 1.

The subject matter of claim 1 is essentially no different from the matters described in the aforesaid documents 1 through 4.

Claim 2

This sets parameters pertaining to the push-in hardness of the crack prevention layer, but the question of how hard to make a layer is a mere matter of design variation to be appropriately decided by a person skilled in the art.

Claim 3

The question of how to configure a setting adhesive is merely a matter to be appropriately selected by a person skilled in the art based on already known configurations.

Also, for example, the point about using a photosetting adhesive is described in document 1, page 37, lines 31-38.

Claim 4

This specifies that the setting adhesive is a thermosetting adhesive, and specifies the point about selecting the specific material from among an epoxy resin, isocyanate resin, and polyimide resin, but the thermosetting type is well known and customary as a setting adhesive, and epoxy resin, isocyanate resin, etc. are well-known as specific materials, so the point specified in claim 4 is a mere matter of design variation to a person skilled in the art.

Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of Box V. 2:

Also, for example, the point about using the aforesaid epoxy adhesive, etc. is described in document 4, paragraph [0033].

Claim 5

This specifies that the setting adhesive is a moisture-setting adhesive, and specifies the point about selecting an isocyanate resin as the specific material, but the moisture-setting type is well known and customary as a setting adhesive, and isocyanate resins, etc. are well-known as specific materials, so the point specified in claim 5 is a mere matter of design variation to a person skilled in the art.

Also, for example, the point about using the aforesaid isocyanate adhesive, etc. is described in document 4, paragraph [0033].

Claim 6

How to set the range of thickness of the crack prevention layer is a mere matter of design variation.

Claims 7-11

Technology using a cholesteric structure as an optical compensation layer and orienting the cholesteric layer is well-known and commonly used art. The point about constituting the optical compensation layer with a cholesteric layer is a mere matter of design variation.

Also, the point about selecting a cholesteric layer as an optical compensation layer is described in documents 1 through 3.

Claim 12

A configuration that includes a polarizing element and an optical compensation plate as a polarizing plate is well-known prior art. Also, the point about bonding a polarizing element and an optical compensation plate by laminating them with a transparent protective layer therebetween is well-known prior art.

Also, technology for bonding a polarizing element and an optical compensation plate with a transparent protective layer therebetween is described in document 1, for example.

Claim 13

The point about directly adhering an optical compensation plate and a transparent protective layer by means of a crack prevention layer is a mere matter of design variation.

Claims 14 and 15

The point about laminating a sticky agent layer is a mere matter of design variation. Also, the point about selecting from among acrylic resins, etc. for the specific material for forming this sticky agent layer is a mere matter of design variation.

Claims 16 and 17

The point about providing a crack prevention layer on both faces of an optical compensation layer is a mere matter of design variation.

Claim 18

Technology for providing a liner or a member corresponding to a liner on the surface of a sticky agent layer is well-known and commonly used art. The point about disposing a liner on the surface of a sticky agent layer is a mere matter of design variation.

Claims 19-21

Using a liquid crystal panel or a liquid crystal display device equipped with a liquid crystal panel or an image display device such as an EL display, etc. as a device provided with an optical compensation plate is a well-known prior art.